



State of West Virginia  
Office of the Attorney General  
State Capitol  
Building 1, Room 26-E  
Charleston, WV 25305-0220

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April 3, 2019

Honorable Scott S. Harris  
Clerk  
Supreme Court of the United States  
1 First Street, NE  
Washington, DC 20543

Re: Tony J. Walton v. David Ballard (No. 18-7696)

Dear Mr. Harris:

Pursuant to Rule 30(4) of the Rules of this Court, Respondent David Ballard, Warden, Mount Olive Correctional Complex, respectfully requests an extension of time to file a Brief in Opposition to the Petition for a Writ of Certiorari filed by Petitioner Tony J. Walton. That Petition was docketed on January 22, 2019. On March 25, 2019, this Court called for a response to the Petition. In the absence of an extension, Respondent's Brief in Opposition would be due April 24, 2019.


The undersigned counsel of record has numerous matters with deadlines in the immediate future, including another Petition for a Writ of Certiorari to which this Court has called for a response—*Ashland Specialty Co., Inc., v. Dale Steager, West Virginia Tax Commissioner*, Case

No. 18-1053—due May 15, 2019. In light of such deadlines, Respondent respectfully requests an extension of time to respond in this case.

Respondent believes that a **forty-five (45)** day extension will allow the undersigned sufficient time to respond to the instant Petition as well as other proximate obligations. Accordingly, Respondent asks that the deadline for filing its Brief in Opposition be extended until **June 7, 2019**.

Respectfully Submitted,

Patrick Morrissey  
Attorney General of West Virginia



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Lindsay See  
Solicitor General  
*Counsel of Record*

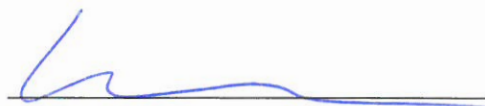
Zachary A. Viglianco  
Assistant Attorney General  
*Counsel for Respondent*

CERTIFICATE OF SERVICE

I, Lindsay See, counsel of record for Respondent, hereby declare that the APPLICATION FOR EXTENSION OF TIME WITHIN WHICH TO FILE A BRIEF IN OPPOSITION TO THE PETITION FOR A WRIT OF CERTIORARI was served on Petitioner, acting *pro se*, at the following address:

Tony Walton OID # 3484794  
Northern Correctional Facility  
112 Northern Regional Correction Drive  
Moundsville, WV 26041  
*Pro Se*

The foregoing document was served by United States Mail First Class Delivery placed in the mail on this 3rd day of April, 2019.

  
Lindsay See  
Solicitor General

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